
TAUNTON PLANNING BOARD MINUTES
Meeting held at 15 Summer Street

DATE: May 13, 2021

BOARD MEMBERS: Anthony Abreau, Chairman Arthur Lopes
Bob Campbell, Vice Chairman John Reardon
Manuel Spencer, Clerk Dennis I. Ackerman
Brian Carr

ADVISORS:
Michael Patneaude, City Engineer
Kevin Scanlon, City Planner

Roll Call: Ackerman, Reardon, Lopes, Spencer, Carr, Abreau, and Campbell present.
Meeting opens at 5:38 PM.

E-5 Crystal Estates – request to release lots 1,2,4, 7 and 9 – holding \$37,857.14

Manny reads dept. comments from the City Engineer, City Planner, B.O.H., and outside consultant Field Engineer.

Bob made motion to place dept. comments on file, seconded by Brian. All in favor.

Al Endriunas was invited in to speak. He had no issues with the dept. comments.

Bob made motion release the lots, 1,2, 4 & and 9 upon receipt of \$154,642.86 of surety. Seconded by John. All in favor.

**Bella Rose Estates – Outside Consultant’s report of work being done without notice
And non-conforming work**

Manny read dept. letters from City Engineer, and letter from North County Group relative to the outside consultant’s report.

Dennis made motion to place dept. comments on file seconded by Brian. All in favor.

John stated they are seeking a waiver of the subbase material on the roadway.

John D. stated they will need to seek a waiver of the roadway sub-base material. He stated the waiver is for the first 12 inches of roadway sub-base mixed, either in-place or removed and mixed with $\frac{3}{4}$ to 1 $\frac{1}{2}$ inch aggregate. Additional gradations may be required to achieve RPB values, depending on the new sample results of the in-place materials. The Roadway sub-base be re-tested after the mixing of the aggregate be re-tested for gradation, density and compaction. If the sub-base not pass the required testing criteria, then it shall be removed and replaced. John D. stated his client spread the sub-base and he then took a sample of it after it was sitting for a month and grabbed mostly vines. They will re-test material and see if they are ok. If not they will need to remove and put new base down. Manny stated he had concerns with the reports he had read. He had issues with the outside consultant not being notified when work was being done. John D. stated there was a miscommunication and scheduling error. Tony stated they have 2 options and John D. stated they are requesting to take option 1 and if it doesn’t pass they have to replace. Tony stated the Rule s& Regs. allows option 1 so don’t think a “waiver” is needed. Dennis suggests granting waiver and prior to any work being done have the city engineer approve it.

Bob made motion to allow re-cycling materials per the P.B. Rules & Regs. And have the City Engineer and Outside Consultant on site to witness sample of materials and if it doesn't meet Mass DOT spec. then it will need to be removed, seconded by Arthur. All in Favor.

Bob Made motion to have the City Engineer and Outside Consultant considering working together to allow re-cycling materials. Seconded by Arthur. All in favor.

Dora Estates - Outside consultant's report of work being done without notice & lot release

Manny read letter from the City Planner and Outside Consultant.

Bob made motion to placed comments on file, seconded by John. All in favor.

Chris Moniz invited into meeting. He stated a footing was placed in the ground. They were had to do some drilling because they found ledge. They spent about \$150,000 on drilling and it made more sense to place the footing while they were drilling and had machinery there. Then they were notified by the Building Commissioner and City Planner to stop work because no building permit had been issued or any lots been released. Chris said from a construction standpoint it made sense to do it and pay possible fines so they could get the work done. He stated the roadway is about 60 days away from binder and they wanted to proceed. He asked if they could just release lots for foundation permit but it was stated in the City Planner's letter you cannot condition a lot release. Once it's release they can get whatever they want. Chris asks the Board to consider releasing the lots prior to having the binder down? Dennis stated since no budget was presented tonight he suggests whatever work has been done without a permit that they get triple fined (which is allowed) because it protests the City and building dept. It sends a message to all developers if they do work without the proper permits they will get fined. Chris stated they have instructed the site contractor and drilling contractor not do anymore work. Bob stated they had not authorized to go into any lots, they just should be doing roadway and utilities. Chris stated they did get the proper permits for blasting and it was a misunderstanding about whether they could do work in lots. He now knows that and will pay whatever fines they deem appropriate. Brian asked if this the developer that posts bond instead of cash and it was answered yes. Tony stated they could double or triple the fines and we can ask for whatever bond amount we think is necessary. Bob stated he is not in favor of releasing any lot before binder course is in. Chris stated they will come back next month for lot releases. Brian asked if a footing is the first step in putting in a foundation and it was answered yes. Manny asked if the blasting is done? Bob stated you didn't have to excavate the lots when you were drilling & blasting. Brian stated you will need to come here with a lot of information because he doesn't want to set a precedent.

Bob made motion to excuse Chris, seconded by Manny all in favor.

Public Hearing – 19 Ingell St. - A Special Permit from Section 440 Attachment # 1 of the Zoning Ordinance for the division of lot into two lots with a Special Permit for a triplex on each lot (total 6 units)

Roll call: Campbell, Ackerman, Reardon, Abreau, Spencer, Lopes and Carr. Hearing opens at 6:18 PM Manny reads public hearing notice and dept. comments from City Planner, Engineer, Conservation Commission, TMLP, Water Dept., Veolia Water and Historic District.

Bob made motion to place dept. comments on file, seconded by Brian. All in favor.

Tracey Duarte, Civil Engineer, Brian Dunn, MBL Land Dev., Michael Binda and Billy Ambros – co-owners were invited into the meeting. Tracey stated they are proposing a triplex on each lot once divided. The lot is now 33,000 square feet and they divide and put triplex building on each lot. They will need to file with FEMA because of the flood zone. They will adding compensatory storage and will file a Notice of Intent with Conservation Commission. Dennis stated the dept. letter stated it was unbuildable and they will need to replicate the wetlands. Tracey explained how they will be meeting compensatory storage and they will have fencing and signs. They had preliminary discussion with conservation but will have to officially file

with them. Bob asked if they would look at not having the driveway in front yard. Tracey said there is 20 feet before you get to Ingell Street. There is a hydrant in the middle but there is still room to maneuver around. Bob stated he didn't like the hydrant being in the middle of the street. There is also an utility pole in the middle of the super wide driveway. They will have grinder pumps and will have separation shown with sewer and water connected to the existing service. Brian stated he would have seen them go to conservation first then us. Dennis asked if they would consider 2 duplexes instead of triplexes? Mike stated he would be open to triplex and duplex. Brian has issues with one lot being in the flood plain. It was noted they could put 2 duplexes as a matter of right in the Urban Residential District. Manny had concerns with the flood plane also. He stated why don't he put one building consisting of 4 units which would not encroach into the flood plain. John owns a house in the flood plain and they have to have flood plain insurance. He asked how would that work with a duplex? It would be in the master policy, each unit will split the cost. Tracey informed them they are not subject to FEMA regs. because of a Map amendment change to the Flood maps. Bob asked who would take care of the compensatory storage easement area? It would be in the maintenance agreement in the homeowner's association documents. Chairman Abreau is not in favor triplex but ok with 2 duplexes. Mike stated in URD they could build more units per acre and they are only asking for 1 triplex and 1 duplex. He points out around the corner there is multifamily dwellings and this will fit right in. They will be cleaning up a dilapidated property and providing affordable housing. Dennis stated he they wanted they could put 2 duplexes and not need any P.B. approval.

Bob made motion to one public input: seconded by Brian. All in favor. No one in favor or opposed.

Brian made motion to close public input, seconded by Arthur. All in favor.

Dennis made motion to approve a triplex on the Lot A(eastern lot) and deny a triplex on the Lot B. (western Lot)

Roll call vote: Lopes, Abreau, ReardonNo

Carr, Spencer, Campbell, Ackerman....Yes.

Petition denied.

Petitioner requests a continuance to next month.

Motion made and seconded to grant continuance. All in favor.

Brian suggested they file with Conservation first.

Bob made motion to excuse petitioners, seconded by John. All in favor.

Public Hearing – Special Permit – Disamar Rd. & Dean St. (56-62) - to allow a multi-family use (3 family dwelling) submitted by Erin Murphy.

Hearing opens at 6:55 PM . Roll Call: Lopes, Carr, Spencer, Abreau, Ackerman, Reardon, and Campbell. Manny read public hearing notice and dept. comments from City Planner, Engineer, B.O.H., Conservation Commission, Fire Dept. and Historic District Commission.

Bob made motion to place dept. comments on file, seconded by Dennis. All in favor.

Atty. William Manganiello, Erin Murphy, Larry Silva, Silva Engineer Co and Joe Ceretani, Real Estate Agent. were invited into the enclosure. Atty. Maganeillo stated they are here for a Special Permit for a 3 family use in an Highway Business District. They will not need to go before the Conservation Commission because they building will be no in the flood plain. They are in the riparian zone and the stormwater will be contained on site. The dwelling will be connected to water & sewer. A triplex is allowed by SP by P.B. in the HBD. Bob asked if these would be individual owned and it was answered yes. They meet front & side setbacks. It was noted this is a corner lot so they have 2 front setback and 2 side yard setbacks for zoning purposes. The original lot had the house Bob appreciate the parking is on Disamar Road and it has a single point of entry. The structure will have 2 ½ stories, hoping to have full basement but it depends on the testing.

Bob made motion to open public input, seconded by Dennis. All in favor.

Gordon Chabot, One Disamar Road says he's not opposed but wanted to let the Board know he owns all the frontage along Disamar Rd. He stated he owns 8 feet along Disamar Road and points it out on the plans. After some discussion it was suggested continuing to allow Atty. Maganiello to review the deeds. Dennis made motion to continue to next month and leave public input open, seconded by Brian. All in favor. Hearing continued June 3, 2021.

Public Hearing- A Special Permit/ Site Plan Review - 2089 Bay Street, Map 89, Lot 60, for modifications to the existing Special Permit/ Site Plan Review to the BJ's Plaza due to the removal of the Wendys restaurant parcel and associated parking from the development, submitted by Northwoods Crossing Station, LLC.

Roll Call: Lopes, Carr, Spencer, Abreau, Ackerman, Reardon, and Campbell. Hearing opens at 7:18 PM
Manny read the public hearing notice and dept. comments from DIRB, TMLP, Veolia Water, and City Engineer.

Bob made motion to place dept. comments on file, seconded by Brian. All in favor.

Bob made motion to invite petitioner into the meeting. Seconded by Brian. All in favor.

Atty. Adam Brodsky, Peter Holden, Holden Engineers were invited into meeting.

Atty. Brodsky stated this is the Northwood property and Wendy's wants to be on their own lot so they need to modify the site plan review for the remaining which is B.J.'s plaza. They obtain a variance from ZBA for landscaping but it's not really going to change but the landscaping is on the other lot. They have submitted As-Builts because none were never done. There will be no physical changes.

Dennis made motion to open public input, seconded by John, all in favor.

No one in favor or opposed

Bob made motion to close public input, seconded by Brian. All in favor.

Dennis made motion, seconded by Brian, to approve the Site Plan Review as presented with dept. comments:

Condition #1) That the plans dated March 5, 2021 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two set of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) A copy of the utility as builts shall be provided to the DPW

Condition #7) The conditions contained in the special permit and site plan review decisions dated April 8, 2003 and July 28, 2004, September 21, 2004, June 28, 2005, October 16, 2007 and March 2, 2010 shall remain in full force and effect except as specifically modified by this decision and the referenced plan above.

Condition #8) The access and utility easements for this parcel shall be recorded and copies provided to the City.

Condition #9) Dumpsters shall be located on a concrete pad, be enclosed with a 6 ft stockade fence, be kept closed at all times and be emptied regularly

Condition #10) a copy of an updated drainage maintenance plan shall be submitted and approved by the City Engineer. Cleaning shall happen at least annually.

Condition #11) show the external grease traps on the plan

Condition #12) provide a copy of the new deed for the file.

Hearing closed at 7:25 PM

Public Hearing - A Special Permit/ Site Plan Review at 2089 Bay Street, Map 89, Lot 60, for modifications to the existing Special Permit/ Site Plan Review to allow the Wendy's restaurant and associated parking to be located on its own lot, submitted by Northwoods Crossing Station, LLC.

Roll call: Carr, Lopes, Abreau, Spencer, Reardon, Ackerman, and Campbell. Hearing opens at 7:26 PM. Manny read the public hearing notice and dept. comments from the DIRB, TMLP, Veolia Water and DIRB. Bob made motion to place dept. comments on file, seconded by Brian. All in favor.

Atty. Adam Brodsky, and Peter Holden, Holden Engineer were invited into the meeting. Atty. Brodsky stated they are in agreement with all DIRB comments. Atty Brodsky stated the proposal is simply to take Wendy's out of the plaza property because they have an opportunity to buy the lot. Nothing will change out there just on paper.

Bob made motion to open public input, seconded by Brian. All in favor.

No one in favor or opposed.

Bob made motion to close public input, seconded by Brian. All in favor.

Dennis made motion, seconded by Brian, to approve the SP/SPR with the dept. comments:

Condition #1) That the plans dated March 5, 2021 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two set of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) A copy of the utility as builts shall be provided to the DPW

Condition #7) The newly created parcel shall not have a curb cut on Bay Street

Condition #8) The access and utility easements for this parcel shall be recorded and copies provided to the City.

Condition #9) Dumpsters shall be located on a concrete pad, be enclosed with a 6 ft stockade fence, be kept closed at all times and be emptied regularly

Condition #10) a copy of an updated drainage maintenance plan shall be submitted and approved by the City Engineer. Cleaning shall happen at least annually.

Condition #11) no deliveries shall wait or stack on Bay Street and Field Street shall not be used by vendors servicing this site

Condition #12) show the external grease traps on the plan

Condition #13) provide a copy of the new deed for the file.

All in favor. Hearing closes at 7:32 PM.

Public Hearing – 485 Tremont St. & prop. I.D. 51-2 7 51-1 – Form J – Waiver of frontage – to create 2 buildable lots – submitted by Emanuel DeAndrade

Roll Call: Carr, Ackerman, Reardon, Spencer, Campbell, Lopes, Abreau. Hearing opens at 7:33 PM

Manny read public hearing notice and dept. comments from the City Planner, B.O.H, Conservation Commission, and Water dept.

Bob made motion to place dept. comments on file, seconded by Brian. All in favor.

Bob made motion to invite petitioner into meeting, seconded by Brian. All in favor.

Emanuel DeAndrade was invited into meeting. He stated he's here tonight for a waiver of frontage. He received ZBA approval and the lot is long and narrow. Brian asked why one zba member voted against it? Dennis answered he just did not like the long length of the lot and the house behind but it passed 4-1

Bob made motion to open public input, seconded by Arthur, All in favor.

Manny asked if it's just for one house. They have 20.51 feet but the driveway will be about 12 feet wide which is the minimum for a fire truck. Mr. DeAndrade said he will be living in the new house and he may be selling home in front. Brian asked where the closest hydrant? It was answered it was near 481 Tremont St. The driveway will be about 350 feet and he has concerns with the fire dept. being able to get water in case of fire. They will be connected to city water. John asked about the 10 foot wide easement shown on plans. It will remain and nothing can be built on the access easement. The fire dept. thru the ZBA had no comments.

Bob made motion to open public input, seconded by Brian, All in favor.

No one in favor or opposed.

Bob made motion to close public input, seconded by Brian. All in favor.

Dennis made motion to approve the Form J with all dept. comments

1. City Water is available for a proposed 2" domestic for each property from the existing 12" city water main on Tremont Street.
2. DPW permits are required including: City licensed Contractor, road opening, and or trench.
3. DPW Specification apply including: Pressure testing, materials, installation, new water meter with an updated radio frequency unit, inspection and approval.
4. Prior notice is required before any city water work is to be performed and inspections will be required before backfilling.
5. City reserves the right to change these terms and conditions at any time.
6. If municipal water and sewer is not available the new lot will need to be able to construct an on-site septic system, with appropriate setback requirements and buffers in accordance with Title 5 Regulations, and private well. All dwellings must comply with the Minimum Standards of Fitness for Human Habitation, State Sanitary Code, Chapter II.

Seconded by John. All in favor. Hearing closes at 7:44 PM

Public Hearing – 70 Malibu Dr. – Form J – Waiver of frontage – to divide one lot into two lots, submitted by Sam Delgado, owned by Joshua & Jaime Rheau

Roll call: Carr, Lopes, Spencer, Ackerman, Reardon, Campbell, Abreau. Hearing opens at 7:45 PM

Manny reads dept. letters from Conservation, City Planner, Water Dept., Engineer, TMLP .

Bob made motion to place dept. comments on fire, seconded by Brian.

Scott Faria, P.E., Sam Delgado were invited into the meeting. They are here tonight for a waiver of frontage for 70 Malibu Drive. They received zoning approval to divide the property into two lots and also received conservation commission approval. Bob asked if the driveway would be off Norton Ave. and it was answered yes.

Bob made motion to open public input, seconded by Brian. All in favor.

No one in favor or opposed. Brian made motion to close public input, seconded by Arthur. All in favor.

Bob made motion to grant the Form J – Waiver of frontage, seconded by Manny. All in favor.

Public hearing closed at 7:50 PM.

Public Hearing – Special Permit/Site Plan Review – 404 Winthrop St. - Map 89, Lot 75, for sales and repair of motorcycles in the existing building , submitted by Russell Governo

Letter from Atty. Brennan requesting a continuance to next month in order to update plans for DIRB

Bob made motion to grant continuance, seconded by Manny. All in favor.

Continued to June 3, 2021

Public Hearing – Special Permit/Site Plan Review – 64 Weir St. - for the change of use to allow Cards & Products Inc., to occupy 16,800 sq. ft. with a business of printing, light manufacturing, retail offices, warehousing, wholesale, retail sales & design, submitted by James R. Dorsey, Trustee

Roll call: Lopes, Carr, Spencer, Reardon, Ackerman, Campbell and Abreau, Hearing opens at 7:53 PM

Manny read public hearing notice and dept. comments from the DIRB, Fire Dept. and TMLP.

Bob made motion to place dept. comments on file, seconded by Brian. All in favor.

Bob made motion to invite petitioner into the meeting. Seconded by Brian. All in favor.

Brian Dorsey, and Rebecca Piscietilli, owner. Matt said this is the former Sandbar Grill and the proposal is to allow new tenant to use 16,800 sq. ft. of area for retail, warehousing, and sales of cards. Manny asked if they were going to use the entire building? Matt answers they will be using the bar and function room space. John asked how many employees it was answered 35 employees. There are 52 parking spaces and they think this will definitely be less of an impact on the surrounding properties. The tenant is re-locating from Easton. They have a 22,000 sq. ft. building in New Bedford. They will be using this space for mostly paper cutting and maybe retail in the future. Hours of operation ae Monday – Friday 7Am – 5 PM. Brian asked if there will be any trucks coming and going and it was answered they will have van deliveries about once every 2 weeks. Matt pointed out the former Sandbar Grill had multiple deliveries every day and there wasn't any issues. Dennis pointed out there is enough room as it shown on the plans.

Bob made motion to open public input, seconded by Arthur. All in favor.

No one opposed or in favor.

Bob made motion to close public input, seconded by Dennis. All in favor.

Dennis made motion, seconded by Arthur to approve the Special Permit/Site Plan Review with the dept. conditions:

Condition #1) That the plans dated February 2, 2002 and revised through April 14, 2021 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two set of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) DPW specifications apply including pressure testing, materials, installation, new water meter with an updated radio frequency unit, inspection and approval, potential inspection for a backflow device by the plumbing inspector or city inspector

All in favor. Hearing closed at 8:01 PM

Public Meeting – Site Plan Review- Winthrop Street, Map 88, Lot 115 - for the construction of a 2,495 sq. ft. wholesale building with a 71,477 sq. ft. gravel storage area for fencing materials & equipment with associated site access, parking, utilities, grading and stormwater management system, submitted by Robert Dumont.

Manny read dept. comments from the DIRB, Fire Dept., Conservation Commission, Water, Veolia Water and abutter John Rathke, 33 Craven Ct., opposed.

Bob made motion to place comments on file, seconded by Brian. All in favor.

Bob made motion to invite petitioner into the meeting. Seconded by Brian. All in favor.

Tracey Duarte, Engineer, MBL Land Dev. & Permitting, Atty Deborah Batog, , Gilmore, Rees & Carlson, P.C. and Robert Dumont were invited into the meeting. The applicant is moving from Rehoboth to Taunton and wishes to put up a 2,495 sq. ft. building. There are some wetlands across the street from this property which was previously delineated through the paving of Winthrop Street. There will be no drainage sent towards Winthrop Heights Drive. They will be in front of the Conservation Commission next Monday. John asked what type of business will be conducted from here. Mr. Dumont answers they will be selling fencing to contractors, there will be no retail. There will be about 2 trucks day, 8 employees and hours of operation is 7 AM – 4 PM Monday – Friday. He said he might have about 1-2 more seasonal employees. It was asked if any trucks will be stored overnight and MR. Dumont answers only their 26 foot flatbed. It will be located 70 feet off Winthrop Street. Dennis stated that this property was approved for mixed use development which, in his opinion, created more problems for the neighbors. Dennis thought this was an easier use which will be less of an impact on the residents in back. And bring taxes to the City . Brian stated the previous use was very passive as a car dealership and the most recent use with Lopes storing their equipment on there. Bob asked the existing outlet pipe to the car wash? Brian D. said he investigated it and the pipe is not associated with the car wash. Atty. Batog stated researched and found that pipe was abandoned, it was from the previous house. The petitioner allowed the State to store material and equipment on the property. Bob asked if they were going to put something to close the drainage along the southern property line. Atty. Batog stated there is an easement in place and amended. Bob suggests provide easement plans.

Bob made motion to open public input, seconded by Dennis. All in favor.

Opposed: John Rathke, 33 Craven Court .his letter was read into the record. He stated the State is doing the curb cuts. He thought you had to approve drainage. He cannot enjoy his backyard because of the noise from Lopes. Atty. Batog stated the retention pond is part of the re-development of 540 Winthrop Street. That project pre-dates zoning. Brian D. stated they will be leaving buffer of trees. Tracey explained how they must comply with Stormwater Management to prevent mosquitoes. The re-development of this parcel will be less impervious. They have to demonstrate that within 72 hours the water will be gone. Manny asked if the water would be going onto is property and it was answered no. Tracey said any overflow would be going to Rte. 44. They will be reducing the flows. Dennis stated the Special Permit that was granted for the mixed use is probably still valid. Opposed: Ann Silva, 21 Craven Court. She hears G. Lopes trucks beeping all the time, constant banging, and louse music, and noise from Paul's Exhaust. She stated G. Lopes works late on weekends and on April 30th Friday night they were there until 11 pm and it was constant banging. She asked the Board what are they doing for the neighbors, they need a less invasive business. What's the safeguard for residents . Manny told her she needs to call the police or refer this to the Zoning Enforcement Officer. John states he lives in another neighborhood and he can hear the banging at 6 Am. Mr. Dumont answers they would be working M – Frida – 7 – 5 PM. and if a delivery is scheduled after 2 pm they will come next day it's their policy. Ms. Silva was concerned with excess water runoff. Atty. Batog stated this is a family business and Lopes has been there a long time. They cannot fix what happens with Lopes business but their use is a very passive use. Ms. Silva stated the neighborhood has had their fair share of businesses. Tracey stated there will be no increase in ground water. Dennis suggested anyone who has

any issues Lopes can call the police or zoning enforcement officer and he mentioned they are coming before the ZBA next week. Opposed: Earl Sumner, 9 Craven Ct. asked what type of fencing will be there, any storage of equipment? He stated they pay high taxes and don't want any more noises. He stated the whole elevation goes towards the South. Mr. Dumont answers the type of fence they will have are wood, chain link, pvc, and commercial fencing. Tracey explains the elevation and what way the water will go. Brian D. stated the property received approval for a mixed use and received conservation approval. Tony stated the City will ask them to provide drainage calculations.

Bob made motion to close public input, seconded by Brian. All in favor.

Brian asked if Mr. Dumont would be willing to help out the neighbors. Dennis suggested having a no cut zone. Atty. Batog stated they try to preserve some trees and if there is an exception if a tree is dead they will be able to take it down.

Dennis made motion, seconded by Manny, to approve the Site Plan Review with the following conditions:

Condition #1) That the plans dated January 11, 2021 and revised through April 12, 2021 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) DPW specifications apply including pressure testing, materials, installation, new water meter with an updated radio frequency unit, inspection and approval, potential inspection for a backflow device by the plumbing inspector or city inspector

Condition #7) prior notice is required before any city water work is to be performed and inspections will be required before backfilling

Condition #8) DPW permits are required including city licensed contractor, road opening and or trench.

Condition #9) ADA parking space shall be van accessible

Condition #10) a copy of the Mass Highway permit for the curb cut shall be provided prior to any building permits

Condition #11) compliance with the conditions contained in the Conservation Commission RDA #1258 decision is required

Condition #12) No deliveries after 2:00 PM

Condition #13) the proposed tree line on the plan shall be a no cut zone with the exception if determined by an arborist that a dead tree needs to be removed.

Condition #14) To allow a reduction in the easterly landscape buffer width from 40 feet to 20 feet and reduced the total amount of plantings by 50% .

Condition #15) Waiver of the requirement that all parking lots consisting of 10 or more spaces shall provide 200 square feet of interior landscaping for every 10 spaces.

All in favor.

Site Plan Review – 30 Mozzone Blvd. #B - for the addition of 6 storage units - (12.5' x 50' each) totaling 3,750 sq. ft. submitted by Commonwealth Alternative Care, owned by Daniel G. DaRosa.

Manny reads dept. letters from DIRB, Engineer, Fire Dept, Veolia Water, and Water.

Bob made motion to place dept. comments on the file, seconded by Brian. All in favor.

Bob Field, Field Engineer was invited into the enclosure. He stated the applicant is proposing to place 6 containers on the property. The detention basin won't need to be increased. These containers will be for storage. Bob C. asked if there would be any sewer or water and it was answered no. They are trailers instead of an actual building. Bob F. stated these will be temporary. Tony asked what would be stored inside and it was answered equipment and materials. Public Input: No one in favor or opposed.

Arthur made motion to close public input, seconded by Brian. All in favor.

Manny made motion to approve the Site Plan Review with dept. comments, Seconded by Arthur. All in favor.

Condition #1) That the plans dated March 19, 2021 and revised thru March 26, 2021 shall govern with the following additional conditions:

Condition #2) That all of the conditions contained in the October 7, 2018 and December 7, 2018 approvals shall remain in full force and effect except as specifically modified by this decision

Condition #3) Two set of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #4) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Public Meeting- Site Plan Review – 20 Constitution Dr. - for the construction of an 88,000 square foot warehouse and distribution facility in an Industrial District, submitted by MCP III Constitution LLC.

Manny read dept. comments from the DIRB, Veolia Water, Historic District Commission into the record.

Bob made motion to invite petitioner into the meeting. Atty. Dan deAbreau and Kelly Engineering. Atty. deAbreau stated the building will be demolished and a new 88,000 square foot warehouse distributing building will be constructed. The property will be enhanced with landscaping and the new use will not have a negative impact on traffic. There will be no drain on fire or police services. They had the DIRB meeting and have no issues with any conditions. They have conservation commission meeting on May 17th for a Notice of Intent. Manny asked if this is the dilapidated building and it was answered yes. It looks like a bomb hit it. The City ordered the building to be boarded up because it was an eyesore. This will be a great improvement to the property. Brian asked who the tenant would be and it was answered they don't have a tenant yet.

Bob made motion to open public input, seconded by Brian. All in favor.

No one in favor or opposed.

Arthur made motion to close public input, seconded by Brian. All in favor.

Bob made motion, seconded by Brian, to approve the Site Plan Review with all the dept. comments:

Condition #1) That the plans dated April 5, 2021 shall govern with the following additional conditions:

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two sets of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built

according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) the internal trench drain shall be shown on the plan with the connection to the MDC trap

Condition #7) remove the plus and minus notation from the building size.

Condition #8) Compliance with the Conservation Commission Order of Conditions is required

Condition #9) DPW permits are required including city licensed contractor, road opening and or trench

Condition #10) DPW specifications apply including hydrant flow testing, pressure testing, materials, installation, new water meter with an updated radio frequency unit, inspection and approval, potential inspection for a backflow device by the plumbing inspector or city inspector

Condition #11) prior notice is required before any city water work is to be performed and inspections will be required before backfilling

Condition #12) the project must meet City of Taunton sanitary sewer standards and specifications and acceptance testing. Existing Sanitary sewer laterals shall be cut and capped.

Condition #13) Note; if the existing drain manhole on John Quincy Adams Rd isn't able to accommodate the proposed 12 inch drain line, consider using the existing 12 inch RCP drain line to the existing catch basin

All in favor.

Public Meeting – Site Plan Review – 3 Cape Rd. & 56-107 - - To allow the operation of a food truck with three picnic tables within an 1,107square foot area submitted by Matthew Anderson, owned by Vu Van Le.

Clerk Spencer read the dept. comments DIRB, Eng., DPW Water into the record.

Bob made motion to place dept. comments on file, seconded by Brian. All in favor.

Bob made motion to invite petitioner into the meeting. Seconded by Brian. All in favor.

Atty. Edmund Brennan, Matt Anderson were invited into the meeting. Atty. Brennan stated they had DIRB meeting and has no issues with the conditions. They are proposing a food trailer at Globe Liquors. Matt will be leasing 11,000 square feet for his trailer a few picnic tables. There will no propane tanks on site. They use an electric grill. They will be using Globe Liquors restrooms and dumpster. The B.O.H. is the next step. The Board asked if this was the site of where the Christmas Trees was and it was answered yes. Atty.

Brennan stated Matt will be leasing all year. There will be no site improvements as they are only placing a trailer and 3 picnic tables. Hours of operation will be Monday –Friday 7 AM – 5 PM, Saturday 8:30 – 3 pm No Sunday. Dennis asked if he wanted hours on Sunday and Matt answered not Sunday is God's day.

Manny asked if he's been in Taunton before and Matt answers no he's new to the area. Kinfolk Pulls Pork trailer was there a long time. He will be selling burritos, tacos and grill cheese. John asked if he will be there year round and it was answered yes he will be there all year long. The Christmas guy is out. Bob asked if he wanted any signs and Matt answered he may go on the free-standing sign. The business name is Christina's Cantina.

Bob made motion to open public input, seconded by Brian. All in favor.

No one in favor or opposed.

John made motion to close public input, seconded by Arthur.

John made motion, seconded by Bob, to approve the Site Plan Review with dept. comments:

Condition #1) That the plans dated April 12, 2021 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two set of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) dumpsters shall be located on a concrete pad, enclosed with a 6 foot stockade fence, be kept closed at all times and emptied regularly

Condition #7) No more than one vendor shall be located on site at any one time. Any vendor shall be confined to the leased area shown on the plan only.

Condition #8) the 27 ft by 41 ft leased area for the vendor shall be delineated in the field with a 3 foot high barrier (temporary post and rail or equivalent) . Two Five foot wide access gaps for customers entering and exiting the area shall be provided

Condition #9) waste barrels shall be located within the leased area

Condition #10) Hours of operation for vendors shall be limited to Monday through Friday 7:00am to 5:00pm, Saturday 8:30am to 3:00pm and closed on Sundays

All in favor.

Public Meeting – Site Plan Review – 318 County St. - for a change of use from gas station/convenience store to Laundromat, submitted by Florence MacDonald trust.

Manny read dept. comments from the DIRB, Historic District Commission and letter from abutter Carol Mulhern.

Bob made motion to place comments on file, seconded by Brian. All in favor.

Bob made motion to invite petitioner into meeting. Seconded by Brian. All in favor.

Scott Faria, P.E., and Ed & Flo MacDonald were invited into the enclosure.

Scott stated this is the former Cumberland Farms site on County Street. They are proposing a small laundromat and received zoning approval after an appeal. The parking will be re-configured and all utilities will be coming from Johnson Street. One of the entrances off County Street will be eliminated. They have shown 13 parking spaces and they are only required to have 7 spaces. They will be leaving 2 entrances along Johnson Street. John asked why didn't you eliminate the other entrance off County Street? Ed MacDonald stated there is a new construction plan for County Street and the whole intersections will be re-done. The City is taking a portion of his property where it comes to a point at County & Johnson Street. They will be rounding out that portion to make it easier to see and getting out from Johnson Street. Manny suggested putting parking closer to the grassy area? Ed said the city is going to re-configure that portion. Brian asked if they owned the building and it was answered yes. Ed said the City has been using the site to store equipment and Brian asked if they asked him to use the property? John asked what would the hours of operation be: Ed answered 6 AM – 10 PM daily. Dennis suggested moving the driveway off County Street to be centered, if pole can be moved. It was suggested reaching out the TMLP and see if pole is slated to be moved as part of the re-configuration of the road.

Bob made motion to open public Input, seconded by Brian. All in favor.

Patti Santos, 294 County St. had concerns with traffic. She said people don't stop coming from Johnson Street. Her property is about 84 feet from Johnson Street. It was stated the improvements to roadway will require slowing down of traffic. No one else in favor or opposed.

Manny made motion, seconded by Brian, to approve the Site Plan Review with dept. conditions:

Condition #1) That the plans dated February 17, 2020 and revised through June 3, 2020 shall govern with the following additional conditions;

Condition #2) Lighting shall not illuminate any portion of abutting properties

Condition #3) The site shall be kept clean and clear of debris

Condition #4) Two set of as-builts shall be submitted upon occupancy for all work on site and shall include design engineer and land surveyor certification notes stating the development has been built according to the approved plans. Plans will show all construction of buildings, utilities, grades, setbacks etc

Condition #5) two sets of updated plans shall be provided that conforms to this decision prior to Building permit

Condition #6) dumpsters shall be located on a concrete pad, enclosed with a 6 foot stockade fence, be kept closed at all times and emptied regularly

Condition #7) Compliance with ZBA case # 3545

Condition #8) Show the utilities on the plan

Condition #9) show the property line information on the plan

Condition #10) The two curb cuts on County Street shall be eliminated and the opening shall be centered between the parking spaces shown on the plan unless the pole cannot be moved by TMLP in which case the curb cuts shall be as shown on the proposed plan.

Condition #11) the lot shall be striped

All in favor.

Preliminary Subdivision – Gracey Estates – the creation of 14 residential lots, to be located off of Hodges Street , property I.D. Map 42, Lot 456, submitted by Hawthorne Dev. Inc, owned by The Estate of George Dentino c/o Jamie Dentino

Manny read dept. comments from Engineer, B.O.H., City Planner, TMLP and Conservation Commission.

Bob made motion to place dept. comments on file, seconded by Brian. All in favor.

Jeff Tallman, Sitec CEC Engineering and John Garanito were invited into the meeting.

Jeff states this property is on the south side of Hodges Street consisting of 29 acres. It was a gravel removing operation and it has a small cemetery located on property. Jeff stated in the deed it stated 2 American Revolutionary War Veteran buried there and they will provide access. Jeff stated they had the wetland line approved. They are showing a 14 lot conventional subdivision to show number for a cluster subdivision. The property is zoned Rural Residential and lot size requirements is 60,000 square feet with 150 feet of frontage. The cluster allows a 30,000 sq. ft. lot size with less roadway and open space. John asked about the cemetery and they said they will keep a buffer around it. Jeff stated they will be asking for some relive along the buffer because of the habitat area so there are some restriction due to the eastern box turtle. They referenced Crowley Estates which is similar. Bob asked about the dirt paths of which dirt bikes drive through here. Jeff said he doesn't know if there are any rights? Brian asked what is the time frame and Jeff and he was hoping to get a Definitive plan in for next month.

Bob made motion to approve the preliminary plan showing 14 lots., seconded by Dennis.

It was suggested getting in touch with the Law Dept. relative to executive session reading an issue that has come up.

Arthur made motion, seconded by Manny to adjourn meeting at 10:23 PM